

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

MISC. NO. 1:05MC237

JAMES E. McALPINE,)
Petitioner,)
Vs.) ORDER
THE UNITED STATES and)
CENTRAL CAROLINA BANK)
(SUNTRUST),)
Respondents.)

)

THIS MATTER is before the Court on the Petitioner's motion for a new trial and to alter judgment.

On review of the Petitioner's filing, the Court finds it to be totally without merit and will be stricken as frivolous.

IT IS, THEREFORE, ORDERED that the Petitioner's motion is hereby **STRICKEN** as frivolous.

Signed: January 23, 2006


Lacy H. Thornburg
United States District Judge
